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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,396	04/30/2001	Wayne L. Randell	32423/82536	2724
<div>7590 07/09/2008</div> <div>Bobby B. Gillenwater, Esquire BARNES & THORNBURG 600 One Summit Square Fort Wayne, IN 46802</div>				
<div>EXAMINER</div> <div>LIVERSEDGE, JENNIFER L</div>				
<div>ART UNIT</div> <div>3692</div>		<div>PAPER NUMBER</div>		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/845,396

Applicant(s)

RANDELL ET AL.

Examiner

JENNIFER LIVERSEGE

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 48 and 50-116 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48 and 50-116 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/IC)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for reconsideration of application 09/845,396 filed on June 18, 2008.

The claims remain as submitted on January 18, 2007.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 48 and 50-115 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,826,542 B1 to Virgin et al. (further referred to as Virgin), and further in view of US Patent 7,206,768 B1 to deGroeve et al. (further referred to as deGroeve).

Regarding claims 48 and 50-71, Virgin discloses a process for online invoice presentment and processing (columns 1-14; particularly column 3, lines 52-58), comprising:

a) generating at a biller entity an invoice for a service rendered to a customer entity (column 3, lines 54-56; Figure 4);

b) making information on the invoice electronically available to first and second users associated to the customer entity, the first user being associated with a first customer computing unit and the second user being associated with a second customer computing unit (column 2, lines 43-49; column 10, lines 25-56);

including enabling users to approve and authorize the invoice based on respective invoice handling privileges assigned by the customer to the user (column 10, lines 32-56; column 11, lines 6-23; column 13, lines 21-36);

where an identifier is processed to determine if users have invoice approval and authorization privileges (column 11, lines 6-23);

transmitting over the communications network from the second customer computing unit to the biller entity payment remittance information including data selected from the set consisting of a credit card number, an authorization to debit a bank account, wire transfer information, direct deposit information and an indication that a check will be mailed (Figure 11; column 14, lines 48-54).

Virgin does not disclose transmitting over a communications network from the first customer computing unit to the biller entity a first data element indicating that the first user has approved the invoice and transmitting over the communications network from the second customer computing unit to the biller entity a second data element indicating that the second user has authorized payment of the invoice.

However, Virgin does disclose enabling invoicers to view the payment status, such as partially approved and approved within the multi-level rule-based routing process wherein invoices are approved and authorized (column 2, lines 43-54).

Further, deGroeve discloses transmitting over a communications network from the first customer computing unit to the biller entity a first data element indicating that the first user has approved the invoice and transmitting over the communications network from the second customer computing unit to the biller entity a second data element indicating that the second user has authorized payment of the invoice (Figures 15A-B; column 1, line 61 – column 2, line 3; column 4, lines 33- and lines 47-60; column 5, lines 1-27; column 19, line 63 – column 20, line 7; column 23, lines 50-54; column 26, lines 18-20 and lines 60-67; column 27, lines 11-25; column 35, lines 20-67).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the approval and authorization process for an online invoice as disclosed by Virgin to adapt the providing of an indicator of invoice approval and authorization to a biller as disclosed by deGroeve. The motivation would be to provide a means of tracking the progress of obtaining invoice approvals and authorizations of multiple users such as to know the status of an open invoice in anticipation of payment where the approval and authorization are being provided by distinct individuals with distinct indicators.

Regarding claims 72-96, Virgin discloses a process (columns 1-14), comprising:

- a) rendering a service to a customer entity (column 1, lines 21-28);
- b) generating an invoice for the service (column 3, lines 54-56; Figure 4);

c) making available to first and second users associated to the customer entity an electronic document providing information on the invoice (column 2, lines 43-49; column 10, lines 25-56);

including enabling users to approve and authorize the invoice based on respective invoice handling privileges assigned by the customer to the user (column 10, lines 32-56; column 11, lines 6-23; column 13, lines 21-36);

invoice information includes an invoice identifier and amount of money billed under the invoice and where a complete copy of the invoice can be accessed (Figure 11; column 14, lines 48-54)

where an identifier is processed to determine if users have invoice approval and authorization privileges (column 11, lines 6-23);

transmitting over the communications network from the second customer computing unit to the biller entity payment remittance information including data selected from the set consisting of a credit card number, an authorization to debit a bank account, wire transfer information, direct deposit information and an indication that a check will be mailed (Figure 11; column 14, lines 48-54);

wherein the invoice is associated with a given category selected from a plurality of categories, the invoice handling privileges assigned by the customer entity to the first user being associated with respective categories and including invoice approval privileges with the given category (column 2, lines 5-16 and lines 43-49; column 10, lines 27-56; column 11, lines 6-23; column 13, lines 10-36).

Virgin discloses providing in the electronic document a user interface control, the user interface control providing an option to approve and authorize an invoice (column 2, lines 43-46). Virgin does not specifically disclose where the inputs for approving and authorizing the invoices are distinct. However, deGroeve discloses where the inputs for approving and authorizing the invoices are distinct (column 1, line 65 – column 2, line 3; column 4, lines 33-35; column 27, lines 11-25; column 35, lines 20-53). It would be obvious to one of ordinary skill in the art at the time of the invention to modify the approval and authorization process for an online invoice as disclosed by Virgin to adapt the distinction of the inputs for approvals and authorizations as disclosed by deGroeve. The motivation would be that if an invoice were to be approved and authorized, then there would be provided distinct inputs for each action such that tracking of the stages of invoice approval and authorization can be determined, such as between those users who clear and approve the invoice (as in having a confirmation that the goods ordered by an individual were actually the ones received, etc. as disclosed by deGroeve) prior to the payment being authorized.

Virgin does not specifically disclose detecting granting of payment of the invoice only when the first user has approved the invoice via the first input option and the second user has authorized payment of the invoice via the second input option. Virgin discloses enabling invoicers to view the payment status, such as partially approved and approved within the multi-level rule-based routing process wherein invoices are approved and authorized (column 2, lines 43-54). Further, deGroeve discloses granting of payment of the invoice only when the first user has approved the invoice via the first

input option and the second user has authorized payment of the invoice via the second input option (column 1, line 65 – column 2, line 3; column 4, lines 33-35; column 27, lines 11-25; column 35, lines 20-53) and wherein the system contains electronic invoice authorization means and workflow management means for receiving required approvals and authorizations automatically and as set forth by a system administrator (column 19, line 29 – column 20, line 3) and wherein based on payor actions of approving and authorizing an invoice, the system determines the status of the invoice (column 26, lines 18-22 and line 60 – column 27, line 17) such as the system detects when the status is approved and authorized. It would be obvious to one of ordinary skill in the art at the time of the invention to modify the electronic invoice system with a hierarchy of invoice approvers/authorizers as disclosed by Virgin to adapt the detecting of invoice status as disclosed by deGroeve. The motivation would be to use gathered status information to efficiently monitor the status of invoices for anticipated payment.

Regarding claims 97-112, Virgin discloses a process for granting payment of an invoice over a network, the invoice having been issued by a biller entity to a customer entity (columns 1-14; particularly column 3, lines 52-58), said process comprising:

- a) accessing via a computer information on the invoice (column 3, lines 52-58);
where an identifier is processed to determine if users have invoice approval and authorization privileges (column 11, lines 6-23);
transmitting over the communications network from the second customer computing unit to the biller entity payment remittance information including data

selected from the set consisting of a credit card number, an authorization to debit a bank account, wire transfer information, direct deposit information and an indication that a check will be mailed (Figure 11; column 14, lines 48-54);

wherein the invoice is associated with a given category selected from a plurality of categories, the invoice handling privileges assigned by the customer entity to the first user being associated with respective categories and including invoice approval privileges with the given category (column 2, lines 5-16 and lines 43-49; column 10, lines 27-56; column 11, lines 6-23; column 13, lines 10-36).

Virgin does not disclose transmitting from the customer entity to the biller entity a first data element indicating that the invoice has been approved by a first user and transmitting from the customer entity to the biller entity a second data element indicating that payment of the invoice has been authorized by a second user.

However, Virgin does disclose enabling invoicers to view the payment status, such as partially approved and approved within the multi-level rule-based routing process wherein invoices are approved and authorized (column 2, lines 43-54).

Further, deGroeve discloses transmitting from the customer entity to the biller entity a first data element indicating that the invoice has been approved by a first user and transmitting from the customer entity to the biller entity a second data element indicating that payment of the invoice has been authorized by a second user (Figures 15A-B; column 1, line 61 – column 2, line 3; column 4, lines 33- and lines 47-60; column 5, lines 1-27; column 19, line 63 – column 20, line 7; column 23, lines 50-54; column 26, lines 18-20 and lines 60-67; column 27, lines 11-25; column 35, lines 20-67).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the approval and authorization process for an online invoice as disclosed by Virgin to adapt the providing of an indicator of invoice approval and authorization to a biller as disclosed by deGroeve. The motivation would be to provide a means of tracking the progress of obtaining invoice approvals and authorizations of multiple users such as to know the status of an open invoice in anticipation of payment where the approval and authorization are being provided by distinct individuals.

Regarding claims 113-115, Virgin discloses a method for electronically presenting and granting payment of invoices (columns 1-14; particularly column 3, lines 52-58), comprising:

a) generating at a biller entity an invoice for a service rendered to a customer entity (column 3, lines 54-56; Figure 4);

b) making information on the invoice electronically available to the customer entity (column 3, lines 54-62);

c) enabling at least two users associated to the customer entity to complete respective stages of a multi-stage invoice handling process (column 2, lines 5-16 and lines 43-54; column 10, lines 25-56; column 11, lines 6-23);

wherein the multi-stage handling process includes a first and second stage.

Virgin does not disclose transmitting over a communications network from each of said at least two users to the biller entity a respective data element indicating that the respective stage of the multi-stage invoice handling process has been completed.

However, Virgin does disclose enabling invoicers to view the payment status, such as partially approved and approved within the multi-level rule-based routing process wherein invoices are approved and authorized (column 2, lines 43-54).

Further, deGroeve discloses transmitting over a communications network from each of said at least two users to the biller entity a respective data element indicating that the respective stage of the multi-stage invoice handling process has been completed (Figures 15A-B; column 1, line 61 – column 2, line 3; column 4, lines 33- and lines 47-60; column 5, lines 1-27; column 19, line 63 – column 20, line 7; column 23, lines 50-54; column 26, lines 18-20 and lines 60-67; column 27, lines 11-25; column 35, lines 20-67).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the approval and authorization process for an online invoice as disclose by Virgin to adapt the providing of an indicator of invoice approval and authorization to a biller as disclosed by deGroeve. The motivation would be to provide a means of tracking the progress of obtaining invoice approvals and authorizations of multiple users such as to know the status of an open invoice in anticipation of payment where the approval and authorization are being provided by distinct individuals.

Claim 116 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,826,542 B1 to Virgin et al. (further referred to as Virgin), in view of US

Patent 7,206,768 B1 to deGroeve et al. (further referred to as deGroeve), and further in view of US Patent 6,044,362 to Neely (further referred to as Neely).

Regarding claim 116, Virgin discloses a process (columns 1-14), comprising:

a) generating by a biller entity an invoice for a service rendered to a customer entity (column 3, lines 54-56; Figure 4);

b) making available to first and second users associated to the customer entity an electronic document providing information on the invoice (column 2, lines 43-49; column 10, lines 25-56).

Virgin discloses providing in the electronic document a user interface control, the user interface control providing an option to approve and authorize an invoice (column 2, lines 43-46). Virgin does not specifically disclose where the inputs for approving and authorizing the invoices are distinct. However, deGroeve discloses where the inputs for approving and authorizing the invoices are distinct (column 1, line 65 – column 2, line 3; column 4, lines 33-35; column 27, lines 11-25; column 35, lines 20-53). It would be obvious to one of ordinary skill in the art at the time of the invention to modify the approval and authorization process for an online invoice as disclosed by Virgin to adapt the distinction of the inputs for approvals and authorizations as disclosed by deGroeve. The motivation would be that if an invoice were to be approved and authorized, there would be more accounting accountability when those users had distinct inputs for clearing and approving the invoice (as in having a confirmation that the goods ordered

by an individual were actually the ones received, etc. as disclosed by deGroeve) prior to the payment being authorized.

Virgin does not disclose notifying the biller entity when the input options have been selected to indicate that the first and second users have approved the invoice and authorized payment of the invoice. Virgin does disclose where invoicers can view the status of invoices through the approval and authorization statuses and where invoicers are notified of any disputes (column 2, lines 43-59) and deGroeve discloses where a biller is able to review the status of invoices including updated and saved statuses through the approval and authorization process (column 3, lines 45-50; column 26, lines 18-22 and lines 60-67; column 27, lines 1125). Further, Neely discloses notifying the biller entity when a payment authorization has been selected (column 4, lines 3-6 and lines 52-54). Given the combination of Virgin and deGroeve which discloses an approval and authorization process for an online invoice with distinct inputs for approvals and authorizations and wherein approvals and authorizations can be tracked by billers and wherein billers can be notified of invoice disputes, it would be obvious to one of ordinary skill in the art at the time of the invention to notify a biller of an authorization (or approval) as disclosed by Neely. The motivation would be that communicating information about invoices enables a biller to know an updated status of an invoice and provides for a more efficient means of account monitoring, such as in providing notification of disputes as disclosed by Virgin and in the sending of payment authorization messages as disclosed by Neely.

Response to Arguments

Examiner acknowledges the affidavits which have been supplied in applicant's swearing behind of the Ludwig reference (US Pub 2003/0167229 A1), wherein the Ludwig reference was filed on April 3, 2001 and discloses:

an electronic invoicing system wherein users have certain permissions including approving and authorizing invoices (paragraphs 3, 55, 101, 120),

wherein the approving and authorizing are performed by distinct individuals (paragraph 3, 137, 139), and

wherein the system provides notification to the invoicer that an action such as approving and/or authorizing has been performed by a user (paragraph 96).

Based on the affidavits submitted, applicant has shown conception prior to the April 3, 2001 date and has shown due diligence between April 3, 2001 (filing date of the Ludwig application) and April 30, 2001 (filing date of the present application). As such, the Ludwig reference has been removed from the rejection as provided above.

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jennifer Liversedge/
Examiner, Art Unit 3692